IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 259 of 2004(E)

PETITIONER:

C.C.CHACKO, CHEMPUMALIYIL KIZHAKKETHIL,
VALANJAVATTOM EAST P.O., THIRUVALLA.
(RETD. JUNIOR SUPERINTENDENT,
MANNAR GRAMA PANCHAYATH)

BY ADV. SRI.MVS.NAMBOOTHIRY

RESPONDENTS:
---

1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, DEPARTMENT OF LOCAL
ADMINISTRATION, GOVERNMENT SECRETARIAT, TRIVANDRUM

2. THE DIRECTOR OF PANCHAYATS,
PANCHAYAT DIRECTORATE, TRIVANDRUM.

3. THE DEPUTY DIRECTOR OF PANCHAYAT,
ALLEPPEY.

4. THE SECRETARY,
ARUVAPULAM GRAMA PANCHAYAT, ARUVAPULAM.

5. THE ACCOUNTANT GENERAL,(A&E) KERALA,
ACCOUNTANT GENERAL'S OFFICE, TRIVANDRUM.

BY ADV. SRI.C.B.SREEKUMAR,SC,ARUVAPPULAM G.PANC
SRI. K.R. DEEPA, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE LETTER NO. P-01/PEN. A/852/22/02-03 DT. 11.10.2002.

EXT.P2 SERIES: TRUE COPY OF THE NON LIABILITY CERTIFICATES.

EXT.P3: TRUE COPY OF THE LETTER SENT BY THE SECRETARY OF THE ARUVAPULAM GRAMA PANCHATAT TO THE 3RD RESPONDENT DATED 11.03.2002.

EXT.P4: TRUE COPY OF THE REPRESENTATION DT. 21.01.2003 SENT BY THE PETITIONER TO THE 3RD RESPONDENT.

EXT.P5: TRUE COPY OF THE REPRESENTATION DT. 05.02.2003.

EXT.P6: TRUE COPY OF THE JUDGMENT IN O.P. 6350/03 DATED 24.02.2003.

EXT.P7: TRUE COPY OF THE LETTER DATED 14.01.2003.

EXT.P8: TRUE COPY OF THE LETTER DATED 27.11.2003.

/True Copy/

P.A to Judge.

KURIAN JOSEPH , J

==========

W.P.(C) NO. 259 OF 2004

==========

Dated this the 29th day of June, 2007.

JUDGMENT

The petitioner is aggrieved by the recovery of an amount of Rs.34533/- from the D.C.R.G. It is seen from the counter affidavit that the recovery is made pursuant to the objection raised by the Local Fund Audit Department. It is for the petitioner to approach the government to get the audit objection cleared. In the event of the petitioner approaching the 1st respondent within a period of 2 months from today, the matter will be duly considered by the government with notice to the petitioner and the 4th respondent and appropriate action thereon, in accordance with law, will be taken within another three months. The question of interest is left open.

The writ petition is disposed of accordingly.

KURIAN JOSEPH, JUDGE.

rv